

# EXHIBIT 3: CEQA Mitigated Negative Declaration and Mitigation Monitoring Program—Tiburon

FEB 17 2004 10:30AM TOWN OF TIBURON

4154352438

P. 2

## Notice of Determination

Appendix H

#229434

To: ☒ Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: (Public Agency) Town of Tiburon

1505 Tiburon Blvd.

Tiburon, CA 94920

☒ County Clerk  
County of Marin

3501 Civic Center Drive  
San Rafael, CA 94903



### Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

TRESTLE GLEN BIKEWAY PROJECT

Project Title

2003122115

State Clearinghouse Number  
(If submitted to Clearinghouse)

DANIEL M. WATROUS

Lead Agency  
Contact Person

(415) 435-7393

Area Code/Telephone/Extension

TRESTLE GLEN BLVD. FROM TIBURON BLVD. TO PARADISE DRIVE, TIBURON, MARIN COUNTY

Project Location (include county)

Project Description: FUTURE CONSTRUCTION OF BICYCLE AND PEDESTRIAN IMPROVEMENTS ALONG TRESTLE GLEN BOULEVARD, INCLUDING ROAD SURFACING, LANE CONFIGURATIONS AND INFRASTRUCTURE TO CREATE SEPARATE BICYCLE AND PEDESTRIAN LANES WHERE FEASIBLE ALONG THIS ROADWAY.

This is to advise that the Town of Tiburon has approved the above described project on 1/21/04 and has made the following determinations regarding the above described project:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A statement of Overriding Considerations ☐ was ☒ was not adopted for this project.
5. Findings ☒ were ☐ were not made pursuant to the provisions of CEQA.

This is to certify that the INITIAL STUDY NEGATIVE DECLARATION and record of project approval is available to the General Public at Tiburon Planning Department, 1505 TIBURON BLVD, TIBURON, CA 94920

Daniel M. Watrous  
Signature (Public Agency)

**FILED**

1/22/04  
PLANNING MANAGER  
Title

Date received for filing at OPR:

JAN 22 2004

BY MICHAEL J. SMITH  
MARIN COUNTY CLERK

Revised October 1989

01/22/04 TO 2/23/04

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## CALIFORNIA DEPARTMENT OF FISH AND GAME CERTIFICATE OF FEE EXEMPTION *De Minimis Impact Finding*

### Project Title/Location:

Trestle Glen Bikeway Project; Trestle Glen Boulevard from Tiburon Boulevard to Paradise Drive, Tiburon, Marin County California

### Project Description:

Future construction of bicycle and pedestrian improvements along Trestle Glen Boulevard, including road surfacing, lane configurations and infrastructure to create separate bicycle and pedestrian lanes where feasible along this roadway.

**Findings of Exemption:** Based on the Initial Study prepared for the project pursuant to CEQA, the Environmental Coordinator has determined that the project will not result in a significant adverse environmental impact with regard to the following factors:

- A. Biotic Community Factors. The project or its relative activities **will not** result in:
1. Changes in the number or diversity of any plant or animal species or alteration or deterioration of their habitats.
  2. Introduction of new plant or animal species into an area, or barrier to normal dispersal or migration of any plant or animal species.
  3. Reduction of the number of any rare or endangered plant or animal species.
  4. Reduction in acreage of any agricultural crop or other agricultural activity.
  5. Increase in the danger of fire hazard in areas with flammable grass, brush, or trees.
- B. Hydrologic and Watershed Factors. The project or its relative activities **will not** result in:
1. Changes in the course or direction of water movements or configuration on either marine or fresh waters.
  2. Changes in percolation, run-of or drainage patterns including ground water supply and recharge in the watershed.
  3. Exposure of people or property to flood hazard.
  4. Generation of pollutants which would affect the water quality of surface or subsurface waters in the watershed.
  5. Affect the quantity or quality of private or public water supplies.

**Certification:** I hereby certify that the lead public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Daniel M. Waters  
Title: Planning Manager  
Lead Agency: Town of Tiburon

1/22/04  
Date

# FILED

JAN 22 2004

BY E. Chilson  
DEPUTY

FOSTER: 01/22/04 TO 2/23/04

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### INITIAL STUDY ENVIRONMENTAL CHECKLIST

1. **PROJECT TITLE:** Trestle Glen Bikeway Study
2. **LEAD AGENCY NAME AND ADDRESS:** Town of Tiburon
3. **CONTACT PERSON AND PHONE NUMBER:**  
Pat Echols, Director of Public Works/Town Engineer  
Town of Tiburon  
1505 Tiburon Boulevard  
Tiburon, CA 94920  
(415)435-7388
4. **PROJECT LOCATION:** Trestle Glen Blvd., Tiburon Blvd. to Paradise Drive
5. **PROJECT SPONSOR'S NAME AND ADDRESS:**  
Town of Tiburon  
Pat Echols, Director of Public Works/Town Engineer  
Town of Tiburon  
1505 Tiburon Boulevard  
Tiburon, CA 94920  
(415)435-7388
6. **GENERAL PLAN DESIGNATION: Residential**
7. **ZONING:** R-1 Single Family Residential  
RPD Residential Planned Development
8. **DESCRIPTION OF PROJECT:** The project is a planning/preliminary engineering design study to determine possible road surfacing, lane configurations, and infrastructure to create separate bicycle and pedestrian lanes where feasible on Trestle Glen Blvd. between Tiburon Blvd. and Paradise Drive. The study does not include lane reconfiguration at Tiburon Blvd., which is a State Highway, or the Paradise Drive intersection, an unincorporated area of Marin County.
9. **SURROUNDING LAND USES AND SETTING:** The land adjacent to the project site is single family residential, and vacant (planned single family residential).  
  
North: Single Family residential, church, fire station  
  
South: Vacant, planned development, single family residential  
  
East: Unincorporated residential  
  
West: Blackie's Pasture open space

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#### 10. OTHER PUBLIC AGENCIES WHOSE REVIEW OR APPROVAL MAY BE REQUIRED:

Marin County Public Works Department, for connections to Paradise Drive  
State of California, Caltrans, for connections to Tiburon Blvd. (State Highway)  
Association of Bay Area Governments (ABAG) Bay Trail, for approval of  
planning/engineering study and trail alignment.

Permits may be needed from the California Department of Fish and Game, U.S.  
Army Corps of Engineers, and the San Francisco Regional Water Quality Control  
Board (Water Quality Certification), if a pedestrian bridge crossing is proposed  
across the unnamed creek east of Juno Road.

#### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below ( X ) would be potentially affected by this  
project, involving at least one impact that is a "Potentially Significant Impact" as indicated  
by the checklist on the following pages.

X	Aesthetics		Hazards & Hazardous Materials	X	Public Services
	Agricultural Resources		Hydrology/Water Quality	X	Recreation
	Air Quality	X	Land Use/Planning	X	Transportation/Traffic
X	Biological Resources		Mineral Resources	X	Utilities/Service Systems
	Cultural Resources		Noise		Mandatory Findings of Significance
X	Geology/Soils		Population/Housing		


#### DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to	

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applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

	12-2-03
Signature	Date
PAT ECHOLS	TOWN OF TIBURON
Printed Name	For

## **EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Potentially Significant Unless Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, “Earlier Analysis,” may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiring, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
  - (a) Earlier Analysis Used. Identify and state where they are available for review.
  - (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

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- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

<b>1. AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
<p><b>Discussion:</b></p> <p>1.a. The project involves creation of a 4 ft. wide pedestrian path and sliver road surfacing to create two bicycle lanes adjacent to the existing paved street. Portions of the adjacent hillslope may need to be re-graded, with a retaining wall adjacent to the street edge. Trail design elements should be designed to fit with the rural character of the street.</p> <p>1.b. N/A</p>				

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1.c. The preferred alternative will utilize a mid-slope trail on the north side of Trestle Glen to avoid visual impacts associated with an extensive retaining wall system. A proposed boardwalk constructed adjacent to the existing box culvert between Mercury Avenue and Juno Road may require minor tree and brush clearing. This area is currently screened from adjacent residences by a chain link fence with wood slats. The new deck structure may be visible in some areas to adjacent residences. Lattice screening, or increasing the height of the chain link fence to six feet is recommended to minimize views of the walkway if needed. The project is not anticipated to substantially degrade the existing visual character or quality of the site and its surroundings.

1.d. New lighting is not proposed as part of this project.

#### Mitigation Measure 1-1:

Any retaining walls, site furnishings or other structural elements needed to create the trail shall be constructed of materials such as unpainted wood, stone or earth-colored concrete, etc. and designed to blend with the adjacent hill slopes to avoid visual impact. Where possible, retaining walls should be 3 ft. or less in height to avoid visual impacts.

#### Mitigation Measure 1-2:

Lattice and/or fencing shall be provided where necessary to screen views of the boardwalk/deck between Mercury and Juno from adjacent residences.

#### Mitigation Measure 1-3:

All tree and shrub thinning shall be done under the direction of a licensed arborist. The arborist may recommend additional screen plantings in select locations to be determined in the field.

**2. AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?

a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X

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c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
<b>Discussion:</b> 2.a. N/A  2.b. N/A  2.c. N/A				
<b>3. AIR QUALITY:</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
<b>Discussion:</b>  3.a. N/A  3.b. N/A				

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3.c.	N/A				
3.d.	N/A				
3.e.	N/A				
<b>4. BIOLOGICAL RESOURCES.</b> Would the project:					
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				X
b)	Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?			X	
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d)	Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?				X
<b>Discussion:</b> 4.a. N/A					

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4.b.	The existing street and proposed trail crosses a small seasonal drainage with riparian vegetation east of Juno Road. Design of the trail will either utilize the existing paved section in this area (shared trail use), or a separate pedestrian/bicycle bridge structure to avoid conflicts with the existing drainage.			
4.c.	The existing street and proposed trail crosses a small seasonal drainage with associated waters/wetlands east of Juno Road. Design of the trail will either utilize the existing paved section in this area (shared trail use), or a separate pedestrian/bicycle bridge structure to avoid conflicts with the existing drainage. Any incremental effects associated with trail design or bridge construction will be mitigated by improvements to the rock outfall area on the north side of Trestle Glen.			
4.d.	N/A			
4.e.	To the extent feasible, the trail (including the boardwalk section requiring selective tree and brush thinning) will be designed to avoid impacts to existing trees and native vegetation. Any tree removal will comply with the Town of Tiburon's tree preservation guidelines.			
4.f.	N/A			
<p>Mitigation Measure 4-1: The trail and bicycle lanes shall be designed to minimize impacts at the existing creek crossing. The design should utilize the existing paved surface, or provide a separate pedestrian/bicycle bridge structure to avoid impacts to the existing perennial creek. Any incremental impacts associated with trail construction should be mitigated by improving the existing rock slope/ creek channel north of Trestle Glen and east of Juno Road, or by planting replacement trees and shrubs for screening.</p> <p>Mitigation Measure 4-2: Trail design should avoid existing mature trees wherever feasible. All tree removal shall comply with Town of Tiburon regulations.</p>				
<b>5. CULTURAL RESOURCES.</b> Would the project:				
a)	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X
b)	Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?			X
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X
d)	Disturb any human remains, including those interred outside of formal cemeteries?			X

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<b>Discussion:</b>				
5.a. N/A				
5.b. N/A				
5.c. N/A				
5.d. N/A				
<b>6. GEOLOGY AND SOILS.</b> Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
(ii) Strong seismic ground shaking?				X
(iii) Seismic-related ground failure, including liquefaction?				X
(iv) Landslides?			X	
(b) Result in substantial soil erosion or the loss of topsoil?			X	
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
(d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where				X

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sewers are not available for the disposal of waste water?				
<p><b>Discussion:</b></p> <p>6a,b,c: A geotechnical investigation of the project area identified potentially unstable colluvial slopes, including some landslide masses and debris deposits adjacent to the proposed path locations. The geotechnical analysis of the project revealed that it is feasible to make minor cuts in the toe of slope of colluvial materials and stabilize the slope using retaining walls.</p> <p>6.d. N/A</p> <p>Mitigation Measure 6-1: All retaining walls and other infrastructure required to construct the trail shall be designed in consultation with a California Registered Engineering Geologist, Geotechnical Engineer, and/or Structural Engineer to minimize potential geologic hazards. Where feasible, retaining walls should be 3 ft. or less in height.</p>				
<b>7. HAZARDS AND HAZARDOUS MATERIALS. Would the project?</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X

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f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
<p><b>Discussion:</b></p> <p>7.a. N/A</p> <p>7.b. N/A</p> <p>7.c. N/A</p> <p>7.d. N/A</p> <p>7.e. N/A</p> <p>7.f. N/A</p> <p>7.g. N/A</p> <p>7.h. N/A</p>				
<b>8. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would				X

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be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				
				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				
				X
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				
			X	
f) Otherwise substantially degrade water quality?				
				X
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				
				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				
				X
j) Inundation by seiche, tsunami, or mudflow?				
				X
<p><b>Discussion:</b></p> <p>8.a. N/A</p>				

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8.b.	N/A				
8.c.	N/A				
8.d.	N/A				
8.e.	Trail construction will include reconstruction of the stormwater drainage system along the road edge on the south side of Trestle Glen. This will eliminate the existing drainage ditch and surface runoff. This will improve existing runoff conditions. Improvement Plans for project implementation will include an Erosion Control Plan (ECP) and Stormwater Pollution Prevention Plan (SWPPP) to provide stormwater management, prevent erosion during construction, and provide for long-term, post-construction stabilization.				
8.f.	N/A				
8.g.	N/A				
8.h.	N/A				
8.i.	N/A				
8.j.	N/A				
<b>9. LAND USE AND PLANNING.</b> Would the project:					
a) Physically divide an established community?	<table border="1"> <tr> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>				X
			X		
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<table border="1"> <tr> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>				X
			X		
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<table border="1"> <tr> <td></td> <td></td> <td></td> <td>X</td> </tr> </table>				X
			X		
<b>Discussion:</b>  9.a. N/A					

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9.b. N/A			
9.c. N/A			
<b>10. MINERAL RESOURCES.</b> Would the project:			
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			
			X
<b>Discussion:</b>  10.a. N/A  10.b. N/A			
<b>11. NOISE.</b> Would the project result in:			
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		X	
d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X	
e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X

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f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
<p><b>Discussion:</b></p> <p>11.a. N/A</p> <p>11.b. N/A</p> <p>11.c. Trestle Glen is currently used primarily by cyclists, and currently has limited pedestrian use. Construction of a new trail is not expected to substantially increase trail usage or ambient noise levels by either pedestrians or cyclists, in the short term. Until a suitable pedestrian route is developed along Paradise Drive, significant trail usage is not expected to substantially change.</p> <p>11.d. Noise levels will temporarily increase during project construction. Regulation of construction operations is anticipated to minimize any potential impacts.</p> <p>11.e. N/A</p> <p>11.f. N/A</p> <p>Mitigation Measure 11-1:</p> <ul style="list-style-type: none"> <li>· Limit construction activities, including grading, excavating, paving, and truck traffic coming to and from the construction site, to non-holiday weekdays between 7:00 AM and 6:00 PM.</li> <li>· Adequately muffle and maintain all equipment used on the project site. All internal combustion engine-driven equipment shall be fitted with intake and exhaust mufflers which are in good condition. Good mufflers with quieted compressors should result in all non-impact tools generating a maximum noise level of 85 dB when measured at a distance of 50 feet.</li> <li>· Powered construction equipment shall be turned off when not in use.</li> <li>· Locate all stationary noise-generating construction equipment, such as air compressors, as far as practical from existing nearby homes.</li> <li>· Select quiet construction equipment, particularly air compressors.</li> <li>· Neighbors located within 500 feet of the construction site shall be notified, in writing, of</li> </ul>				

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the construction schedule.				
<b>12. POPULATION AND HOUSING.</b> Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<b>Discussion:</b> 12.a. N/A  12.b. N/A  12.c. N/A				
<b>13. PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Parks?				X
e) Other public facilities?				X
<b>Discussion:</b>				

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13.a. N/A				
13.b. N/A				
13.c. N/A				
13.d. N/A				
13.e. N/A				
<b>14. RECREATION.</b>				
a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				
			X	
<b>Discussion:</b>  14.a. N/A  14.b. The project involves provision of a separated pedestrian trail and bicycle lanes as a component of the Bay Trail, a recreational trail. Construction of a recreational trail adjacent to the existing roadway is not expected to have an adverse physical effect on the environment.				
<b>15. TRANSPORTATION/TRAFFIC.</b> Would the project:				
a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				
				X

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c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
<p><b>Discussion:</b></p> <p>15a. Creation of separate bicycle lanes and a separated pedestrian trail will reduce traffic conflicts. In addition, painted crosswalks would be provided where the trail will cross existing streets, including Juno Road and Mercury Drive, to improve pedestrian safety.</p> <p>15.b. N/A</p> <p>15.c.</p> <p>15.d.</p> <p>15.e.</p> <p>15.f.</p> <p>15.g.</p>				
<b>16. UTILITIES AND SERVICE SYSTEMS. Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in construction of new water or				X

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wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) ) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
<p><b>Discussion:</b></p> <p>16.a. N/A</p> <p>16.b. N/A</p> <p>16.c. N/A</p> <p>16.d. N/A</p> <p>16.e. N/A</p> <p>16.f. N/A</p> <p>16.g. N/A</p>				

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17. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X
<p><b>Discussion:</b></p> <p>17.a. N/A</p> <p>17.b. N/A</p> <p>17.c. N/A</p>				

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## RESOLUTION NO. 04-2004

### A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TIBURON APPROVING THE TRESTLE GLEN BIKEWAY PROJECT, ADOPTING A MITIGATED NEGATIVE DECLARATION THEREFOR, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE PROJECT

WHEREAS, in October 2001, the Town was awarded a planning grant from the Association of Bay Area Governments (ABAG) to develop plans for pedestrian and bicycle improvements along the entire 0.7-mile length of Trestle Glen Boulevard from Tiburon Boulevard to Paradise Drive; and

WHEREAS, the Town of Tiburon contracted for the preparation of the planning study with Questa Engineering Corporation in 2002; said study being entitled the *Trestle Glen Bikeway Study* (hereinafter "*Study*"); and

WHEREAS, the *Study* was discussed at public hearings before the Town of Tiburon Bicycle and Pedestrian Advisory Committee (BPAC) on October 22, 2002 and January 28, 2003, following which the BPAC did recommend to the Town Council adoption of the preferred alignment identified in the *Study*; and

WHEREAS, the Tiburon Town Council held a public hearing on May 7, 2003, at which it considered the *Study*, took testimony from interested persons, accepted the *Study* results and conclusions, and directed staff to complete the environmental review of the project and seek funding for final design and installation of the preferred alignment improvements; and

WHEREAS, an Initial Study and a draft negative declaration for the preferred alignment project was prepared by Questa Engineering Corporation under contract to the Town of Tiburon, and was released for a 30-day public review and comment on December 15, 2003; and

WHEREAS, notice of the draft negative declaration was provided pursuant to provisions of the California Environmental Quality Act and the Town of Tiburon Environmental Guidelines; and

WHEREAS, the Town Council finds that based upon the Initial Study and evidence in the record, no significant adverse impacts on the environment would occur as a result of the project. All potentially significant adverse environmental impacts have been mitigated to less than significant levels through mitigation measures imposed on the project and accepted in writing by the project sponsor. There has been no substantial evidence submitted into the record to support a fair argument that a significant adverse environmental impact may result from the project; and

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WHEREAS, the Town Council finds that the mitigated negative declaration reflects the Town of Tiburon's independent judgment and analysis; and

WHEREAS, the Town Council finds that the project is consistent with the goals and policies of the Tiburon General Plan, and would on balance further the objectives of the Tiburon General Plan, specifically as follows:

1. Circulation Element Goal C-E states that it is the goal of the Town "To improve the safety of the circulation system for pedestrians and bicyclists."

Trestle Glen Boulevard is a narrow two-lane arterial roadway that is the most heavily traveled connection between the north and south sides of the Tiburon Peninsula. The north side of the roadway has a relatively narrow shoulder that creates conflicts between bicyclists, pedestrians, and automobiles due to its narrowness. The south side of the roadway has a very narrow shoulder (as little as two feet in width) that creates conflicts between bicycles and automobiles. The proposed project would substantially increase safety for pedestrians and bicyclists along the entire length of Trestle Glen Boulevard.

2. Circulation Element Policy C-34 states that "Multi-use paths for bicycles and pedestrians should be constructed along existing streets and within open space areas in order to provide safe access to schools, playgrounds and other areas with scenic attractions. A bike lane may be constructed on Trestle Glen Boulevard".

The project would provide enhanced and safer access to schools and to the Richardson Bay Lineal Park, a major entrance to which is located at the intersection of Tiburon Boulevard and Trestle Glen Boulevard.

3. General Plan Circulation Element Diagram C-2 (Transit & Bicycle Routes) depicts Trestle Glen Boulevard as a proposed Class II Bicycle Route.

The project would create Class II bicycle lanes on both sides of Trestle Glen Boulevard, as well as a pedestrian walkway on one side.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Tiburon hereby adopts the Mitigated Negative Declaration for the Trestle Glen Bikeway project, and approves the preferred alignment for the bikeway project, as set forth in the *Trestle Glen Bikeway Study*, prepared by Questa Engineering Corporation, dated April 30, 2003, on file and available for public review at Tiburon Town Hall.

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BE IT FURTHER RESOLVED that the Town Council hereby adopts the Mitigation Monitoring and Reporting Program for the Trestle Glen Bikeway Project, attached hereto as **Exhibit A**. The Community Development Director is directed to file the Notice of Determination with the Marin County Clerk within five (5) working days of the project approval.

PASSED AND ADOPTED at a regular meeting of the Tiburon Town Council on January 21, 2004, by the following vote:

AYES:	COUNCILMEMBERS:	Fredericks, Berger, Slavitz, Smith
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Gram

  
ALICE FREDERICKS, MAYOR  
TOWN OF TIBURON

ATTEST:   
DIANE CRANE IACOPI, TOWN CLERK

S: /administration/town council/staff reports/2004/trestle glen bikeway resolution.doc

# EXHIBIT 3: CEQA Mitigated Negative Declaration and Mitigation Monitoring Program—Tiburon

## Appendix B: Mitigation Monitoring and Reporting Program Trestle Glen Bikeway Study

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Monitoring Compliance Record (Name/Date)
<p><i>Aesthetics</i></p> <p><i>Mitigation Measure 1-1:</i> Any retaining walls, site furnishings or other structural elements needed to create the trail shall be constructed of materials such as unpainted wood, stone or earth-colored concrete, etc. and designed to blend with the adjacent hill slopes to avoid visual impact.</p> <p><i>Mitigation Measure 4-2:</i> Where possible, retaining walls should be 4 ft. or less in height to avoid visual impacts. Lattice and/or fencing shall be provided where necessary to screen views of the boardwalk/deck between Mercury and Juno from adjacent residences.</p> <p><i>Mitigation Measure 4-3:</i> All tree and shrub thinning shall be done under the direction of a licensed arborist. The arborist may recommend additional screen plantings in select locations to be determined in the field.</p>	<ol style="list-style-type: none"> <li>1. Town of Tiburon incorporates into project plans and specifications.</li> <li>2. Town includes this mitigation into all contracts involved in site preparation and development activities.</li> <li>3. Town contractor complies with design requirements during construction.</li> </ol>	<ol style="list-style-type: none"> <li>1. Public Works/Planning</li> <li>2. Public Works</li> <li>3. Public Works</li> </ol>	<ol style="list-style-type: none"> <li>1. Incorporate into project plans and specifications.</li> <li>2. Prior to approval of construction contract.</li> <li>3. During construction site shall be monitored by Public Works Department.</li> </ol>	
<p><i>Biological Resources</i></p> <p><i>Mitigation Measure 4-1:</i></p> <p>The trail and bicycle lanes shall be designed to minimize impacts at the existing creek crossing. The design should utilize the existing paved surface, or provide a separate pedestrian/bicycle bridge structure to avoid impacts to the existing perennial creek. Any incremental impacts associated with trail construction should be mitigated by improving the existing rock slope/ creek channel north of Trestle Glen and east of Juno Road, or by planting replacement trees and shrubs for screening.</p> <p><i>Mitigation Measure 4-2:</i> Trail design should avoid</p>	<ol style="list-style-type: none"> <li>1. Town of Tiburon incorporates into project plans and specifications.</li> <li>2. Town includes this mitigation into all contracts involved in site preparation and development activities.</li> <li>3. Town contractor complies with design requirements during construction.</li> </ol>	<ol style="list-style-type: none"> <li>1. Public Works/Planning</li> <li>2. Public Works</li> <li>3. Public Works</li> </ol>	<ol style="list-style-type: none"> <li>1. Incorporate into project plans and specifications.</li> <li>2. Prior to approval of construction contract.</li> <li>3. During construction site shall be monitored by Public</li> </ol>	

## EXHIBIT 3: CEQA Mitigated Negative Declaration and Mitigation Monitoring Program—Tiburon

### Appendix B: Mitigation Monitoring and Reporting Program Trestle Glen Bikeway Study

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Monitoring Compliance Record (Name/Date)
existing mature trees wherever feasible. All tree removal shall comply with Town of Tiburon regulations.			Works Department.	
<p><i>Geology and Soils</i></p> <p>Mitigation Measure 6-1: All retaining walls and other infrastructure required to construct the trail shall be designed in consultation with a California Registered Engineering Geologist, Geotechnical Engineer, and/or Structural Engineer to minimize potential geologic hazards. Where feasible, retaining walls should be 3 ft. or less in height.</p>	<ol style="list-style-type: none"> <li>1. Town of Tiburon incorporates into project plans and specifications.</li> <li>2. Town includes this mitigation into all contracts involved in site preparation and development activities.</li> <li>3. Town contractor complies with design requirements during construction.</li> </ol>	<ol style="list-style-type: none"> <li>1. Public Works/Planning</li> <li>2. Public Works</li> <li>3. Public Works</li> </ol>	<ol style="list-style-type: none"> <li>1. Incorporate into project plans and specifications.</li> <li>2. Prior to approval of construction contract.</li> <li>3. During construction site shall be monitored by Public Works Department.</li> </ol>	
<p><i>Noise:</i></p> <p>Mitigation Measure 11-1:</p> <ul style="list-style-type: none"> <li>Limit construction activities, including grading, excavating, paving, and truck traffic coming to and from the construction site, to non-holiday weekdays between 7:00 AM and 6:00 PM.</li> <li>Adequately muffle and maintain all equipment used on the project site. All internal combustion engine-driven equipment shall be fitted with intake and exhaust mufflers which are in good condition. Good mufflers with quieted compressors should result in all non-impact tools generating a maximum noise level of 85 dB when measured at a distance of 50 feet.</li> </ul>	<ol style="list-style-type: none"> <li>1. Town incorporates into project plans and specifications.</li> <li>2. Town includes this mitigation into plans and specifications involved in site preparation and development activities.</li> <li>3. Town contractor would implement during construction.</li> </ol>	<ol style="list-style-type: none"> <li>1. Planning Department</li> <li>2. Public Works</li> <li>3. Public Works</li> </ol>	<ol style="list-style-type: none"> <li>1. Review plans and specifications prior to advertising for bids.</li> <li>2. Prior to approval of construction contract.</li> <li>3. During construction site shall be inspected and monitored by Public Works..</li> </ol>	

### EXHIBIT 3: CEQA Mitigated Negative Declaration and Mitigation Monitoring Program—Tiburon

#### Appendix B: Mitigation Monitoring and Reporting Program Trestle Glen Bikeway Study

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Monitoring Compliance Record (Name/Date)
<ul style="list-style-type: none"><li>Powered construction equipment shall be turned off when not in use.</li><li>Locate all stationary noise-generating construction equipment, such as air compressors, as far as practical from existing nearby homes.</li><li>Select quiet construction equipment, particularly air compressors.</li><li>Neighbors located within 500 feet of a construction site shall be notified, in writing, of the construction schedule.</li></ul>				